

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CASE NO. 1:16-CV-00333-RLV**

ANNETTE MCALLISTER LEWIS,

Plaintiff,

v.

NANCY A. BERRYHILL,  
Acting Commissioner of Social Security,

Defendant.

**ORDER**

The Defendant, Nancy A. Berryhill, Acting Commissioner of Social Security, has moved this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment reversing her decision with a remand of the case for further administrative proceedings. (Doc. 9). In her motion, Defendant represents that Plaintiff's counsel consents to her Motion for Reversal and Remand. Plaintiff has not filed a response to Defendant's motion, and the time to file a response has elapsed.

Pursuant to the power of this Court to enter a judgment reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405 (g), this Court hereby **GRANTS** Defendant's Motion for Reversal and Remand (Doc. 9), **REVERSES** the Commissioner's decision, and **REMANDS** this matter to the Commissioner for further proceedings. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Furthermore, in light of Plaintiff's consent to Defendant's Motion for Reversal and Remand, Plaintiff's Motion for Summary Judgment (Doc. 7) is **DENIED** as moot.

Signed: May 3, 2017



Richard L. Voorhees  
United States District Judge

